



5-19 0300
PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Terry et al.	Attorney Docket:	0960-020
Serial No:	09/933,323	Examiner:	Not Assigned
Filed:	08/20/2001	Art Unit:	2611
TITLE: CAPACITY SCALING AND FUNCTIONAL ELEMENT REDISTRIBUTION WITHIN AN IN-BUILDING COAX CABLE INTERNET ACCESS SYSTEM			

Filing of Declaration Subsequent to Filing the Application

RECEIVED
MAY 09 2002
Technology Center 2600

Assistant Commissioner for Patents
Box Missing Parts
Post Office 2327
Arlington, Virginia 22202

This communication is in response to the "Decision of Petition" mailed November 5, 2001 for which a response is due no later than two months from filing. The Lead Petitions Examiner states that the above referenced application is being returned to the Office of Initial Examination for a "Notice to File Missing Parts of Non-provisional Application".

The situation addressed by the petition was that the application was filed without a signed declaration as the inventor died shortly before filing and no one had been officially named as legal representative of the deceased inventor. Thus, no legal representative was available to sign despite diligent search. The petition was denied and applicant has been instructed to submit the declaration in accordance for the rules set forth under 37 CFR § 1.42.

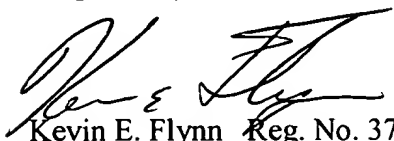
An executrix has been named for the deceased inventor and applicant now submits a declaration signed by the executrix in conformity with 37 CFR § 1.42.

Applicant's attorney submits herewith the following:

1. A copy of an executed Declaration signed by Mrs. Dorothy Terry as Executor of the estate of her late husband John Brian Terry, deceased inventor of the above-identified application;
2. Papers documenting the legal status of Mrs. Terry:
 - a. A copy of the executed Letters Testamentary from the Probate Court of the State of Georgia;
 - b. A copy of the certification by the Clerk of the Probate Court dated August 16, 2001;
3. Fee transmittal (in duplicate) with a check for \$65; and
4. Return receipt postcard.

Dated: November 30, 2001

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Kevin E. Flynn', written in a cursive style.

Kevin E. Flynn Reg. No. 37,325

Daniels & Daniels, P.A.

P.O. Drawer 12218

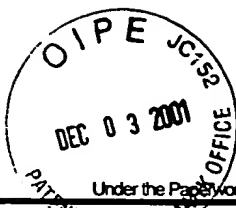
Research Triangle Park, NC 27709

Voice 919.544.5444

Fax 919.544.5920

email Kflynn@daniels.com

F:\CL\0960-020\Prosecution\FMP - Declaration.doc



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2001 <i>Patent fees are subject to annual revision.</i>		Complete if Known		
		Application Number	09/933,323	
		Filing Date	August 20, 2001	
		First Named Inventor	Terry et al.	
		Examiner Name	N/A	
		Group/Art Unit	2611	
TOTAL AMOUNT OF PAYMENT (\$)		65.00	Attorney Docket No.	0960-020

RECEIVED
MAY 09 2002
Technology Center 2600

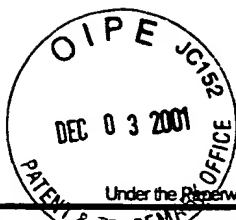
METHOD OF PAYMENT (check one)		FEE CALCULATION (continued)				
1. <input type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:		3. ADDITIONAL FEES				
Deposit Account Number		Large Entity Fee Code		Small Entity Fee Code	Fee Description	Fee Paid
Deposit Account Name		105	130	205	65	65.00
<input checked="" type="checkbox"/> Applicant Claims Small Entity Status		127	50	227	25	
Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 <input type="checkbox"/>		139	130	139	130	
2. <input checked="" type="checkbox"/> Payment Enclosed:		147	2,520	147	2,520	
<input checked="" type="checkbox"/> Check <input type="checkbox"/> Money Order <input type="checkbox"/> Other		112	920*	112	920*	
FEE CALCULATION		113	1,840*	113	1,840*	
1. BASIC FILING FEE		115	110	215	55	
Large Entity Fee Code	Small Entity Fee Code	Fee Description	Fee Paid			
101	710	201 355 Utility filing fee				
106	320	206 160 Design filing fee				
107	490	207 245 Plant filing fee				
108	710	208 355 Reissue filing fee				
114	150	214 75 Provisional filing fee				
SUBTOTAL (1) (\$)		-0-				
2. EXTRA CLAIM FEES						
Total Claims	Extra Claims	Fee from Below	Fee Paid			
Independent Claims	-20**= 0	X	= 0.00			
Multiple Dependent	-3**= 0	X	= 0.00			
**or number previously paid, if greater; For Reissues, see below						
Large Entity Fee Code	Small Entity Fee Code	Fee Description	Fee Paid			
103	18	203 9 Claims in excess of 20				
102	80	202 40 Independent claims in excess of 3				
104	270	204 135 Multiple dependent claim, if not paid				
109	80	209 40 **Reissue independent claims over original patent				
110	18	210 9 **Reissue claims in excess of 20 and over original patent				
SUBTOTAL (2) (\$)		0.00				
		*Reduced by Basic Filing Fee Paid				
		SUBTOTAL (3)		(\$)		65.00

RECEIVED
MAR 11 2002
OFFICE OF PETITIONS

SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Kevin E. Flynn	Registration No. (Attorney/Agent)	37,325
Signature	<i>Kevin E. Flynn</i>	Telephone	(919) 544 5444
		Date	November 30, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant commissioner for Patents, Washington, DC 20231.



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2001 <i>Patent fees are subject to annual revision.</i>		Complete if Known		
		Application Number	09/933,323	
		Filing Date	August 20, 2001	
		First Named Inventor	Terry et al.	
		Examiner Name	N/A	
TOTAL AMOUNT OF PAYMENT (\$)		65.00	Attorney Docket No.	0960-020

RECEIVED
MAY 09 2002
Technology Center 2000

METHOD OF PAYMENT (check one)		FEE CALCULATION (continued)																																																																																																																																																																																																																																																																																																	
1. <input type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:		3. ADDITIONAL FEES																																																																																																																																																																																																																																																																																																	
Deposit Account Number: Deposit Account Name: <input checked="" type="checkbox"/> Applicant Claims Small Entity Status Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 <input type="checkbox"/>		<table border="1"><thead><tr><th>Large Entity Fee Code</th><th>Large Entity Fee (\$)</th><th>Small Entity Fee Code</th><th>Small Entity Fee (\$)</th><th>Fee Description</th><th>Fee Paid</th></tr></thead><tbody><tr><td>105</td><td>130</td><td>205</td><td>65</td><td>Surcharge - late filing fee or oath</td><td>65.00</td></tr><tr><td>127</td><td>50</td><td>227</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr><tr><td>139</td><td>130</td><td>139</td><td>130</td><td>Non-English specification</td><td></td></tr><tr><td>147</td><td>2,520</td><td>147</td><td>2,520</td><td>For filing a request for reexamination</td><td></td></tr><tr><td>112</td><td>920*</td><td>112</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr><tr><td>113</td><td>1,840*</td><td>113</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr><tr><td>115</td><td>110</td><td>215</td><td>55</td><td>Extension for reply within first month</td><td></td></tr><tr><td>116</td><td>390</td><td>216</td><td>195</td><td>Extension for reply within second month</td><td></td></tr><tr><td>117</td><td>890</td><td>217</td><td>445</td><td>Extension for reply within third month</td><td></td></tr><tr><td>118</td><td>1,390</td><td>218</td><td>695</td><td>Extension for reply within fourth month</td><td></td></tr><tr><td>128</td><td>1,890</td><td>228</td><td>945</td><td>Extension for reply within fifth month</td><td></td></tr><tr><td>119</td><td>310</td><td>219</td><td>155</td><td>Notice of Appeal</td><td></td></tr><tr><td>120</td><td>310</td><td>220</td><td>155</td><td>Filing a brief in support of an appeal</td><td></td></tr><tr><td>121</td><td>270</td><td>221</td><td>135</td><td>Request for oral hearing</td><td></td></tr><tr><td>138</td><td>1,510</td><td>138</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr><tr><td>140</td><td>110</td><td>240</td><td>55</td><td>Petition to revive - unavoidable</td><td></td></tr><tr><td>141</td><td>1,240</td><td>241</td><td>620</td><td>Petition to revive - unintentional</td><td></td></tr><tr><td>142</td><td>1,240</td><td>242</td><td>620</td><td>Utility issue fee (or reissue)</td><td></td></tr><tr><td>143</td><td>440</td><td>243</td><td>220</td><td>Design issue fee</td><td></td></tr><tr><td>144</td><td>600</td><td>244</td><td>300</td><td>Plant issue fee</td><td></td></tr><tr><td>122</td><td>130</td><td>122</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr><tr><td>123</td><td>50</td><td>123</td><td>50</td><td>Petitions related to provisional applications</td><td></td></tr><tr><td>126</td><td>240</td><td>126</td><td>240</td><td>Submission of information Disclosure Stmt</td><td></td></tr><tr><td>581</td><td>40</td><td>581</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr><tr><td>146</td><td>710</td><td>246</td><td>355</td><td>Filing a submission after final rejection (37 CFR § 1.129(a))</td><td></td></tr><tr><td>149</td><td>710</td><td>249</td><td>355</td><td>For each additional invention to be examined (37 CFR § 1.129(b))</td><td></td></tr><tr><td colspan="2">2. <input checked="" type="checkbox"/> Payment Enclosed: <input checked="" type="checkbox"/> Check <input type="checkbox"/> Money Order <input type="checkbox"/> Other</td><td colspan="2">Other fee (specify) _____ Other fee (specify) _____</td></tr><tr><td colspan="2">FEE CALCULATION</td><td colspan="2">SubTOTAL (3) (\$)</td></tr><tr><td colspan="2">1. BASIC FILING FEE</td><td colspan="2">65.00</td></tr><tr><td colspan="2"><table border="1"><thead><tr><th>Large Entity Fee Code</th><th>Large Entity Fee (\$)</th><th>Small Entity Fee Code</th><th>Small Entity Fee (\$)</th><th>Fee Description</th><th>Fee Paid</th></tr></thead><tbody><tr><td>101</td><td>710</td><td>201</td><td>355</td><td>Utility filing fee</td><td></td></tr><tr><td>106</td><td>320</td><td>206</td><td>160</td><td>Design filing fee</td><td></td></tr><tr><td>107</td><td>490</td><td>207</td><td>245</td><td>Plant filing fee</td><td></td></tr><tr><td>108</td><td>710</td><td>208</td><td>355</td><td>Reissue filing fee</td><td></td></tr><tr><td>114</td><td>150</td><td>214</td><td>75</td><td>Provisional filing fee</td><td></td></tr></tbody></table></td><td colspan="2"></td></tr><tr><td colspan="2">SUBTOTAL (1) (\$)</td><td colspan="2">-0-</td></tr><tr><td colspan="2">2. EXTRA CLAIM FEES</td><td colspan="2"></td></tr><tr><td colspan="2"><table border="1"><thead><tr><th>Total Claims</th><th>Extra Claims</th><th>Fee from Below</th><th>Fee Paid</th></tr></thead><tbody><tr><td>Independent Claims</td><td>-20**= 0</td><td>x</td><td>= 0.00</td></tr><tr><td>Multiple Dependent Claims</td><td>-3**= 0</td><td>x</td><td>= 0.00</td></tr></tbody></table></td><td colspan="2"></td></tr><tr><td colspan="2">**or number previously paid, if greater; For Reissues, see below</td><td colspan="2"></td></tr><tr><td colspan="2"><table border="1"><thead><tr><th>Large Entity Fee Code</th><th>Large Entity Fee (\$)</th><th>Small Entity Fee Code</th><th>Small Entity Fee (\$)</th><th>Fee Description</th></tr></thead><tbody><tr><td>103</td><td>18</td><td>203</td><td>9</td><td>Claims in excess of 20</td></tr><tr><td>102</td><td>80</td><td>202</td><td>40</td><td>Independent claims in excess of 3</td></tr><tr><td>104</td><td>270</td><td>204</td><td>135</td><td>Multiple dependent claim, if not paid</td></tr><tr><td>109</td><td>80</td><td>209</td><td>40</td><td>**Reissue independent claims over original patent</td></tr><tr><td>110</td><td>18</td><td>210</td><td>9</td><td>**Reissue claims in excess of 20 and over original patent</td></tr></tbody></table></td><td colspan="2"></td></tr><tr><td colspan="2">SUBTOTAL (2) (\$)</td><td colspan="2">0.00</td></tr><tr><td colspan="2">*Reduced by Basic Filing Fee Paid</td><td colspan="2">SUBTOTAL (3) (\$)</td></tr><tr><td colspan="2"></td><td colspan="2">65.00</td></tr></tbody></table>		Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid	105	130	205	65	Surcharge - late filing fee or oath	65.00	127	50	227	25	Surcharge - late provisional filing fee or cover sheet		139	130	139	130	Non-English specification		147	2,520	147	2,520	For filing a request for reexamination		112	920*	112	920*	Requesting publication of SIR prior to Examiner action		113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action		115	110	215	55	Extension for reply within first month		116	390	216	195	Extension for reply within second month		117	890	217	445	Extension for reply within third month		118	1,390	218	695	Extension for reply within fourth month		128	1,890	228	945	Extension for reply within fifth month		119	310	219	155	Notice of Appeal		120	310	220	155	Filing a brief in support of an appeal		121	270	221	135	Request for oral hearing		138	1,510	138	1,510	Petition to institute a public use proceeding		140	110	240	55	Petition to revive - unavoidable		141	1,240	241	620	Petition to revive - unintentional		142	1,240	242	620	Utility issue fee (or reissue)		143	440	243	220	Design issue fee		144	600	244	300	Plant issue fee		122	130	122	130	Petitions to the Commissioner		123	50	123	50	Petitions related to provisional applications		126	240	126	240	Submission of information Disclosure Stmt		581	40	581	40	Recording each patent assignment per property (times number of properties)		146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))		149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))		2. <input checked="" type="checkbox"/> Payment Enclosed: <input checked="" type="checkbox"/> Check <input type="checkbox"/> Money Order <input type="checkbox"/> Other		Other fee (specify) _____ Other fee (specify) _____		FEE CALCULATION		SubTOTAL (3) (\$)		1. BASIC FILING FEE		65.00		<table border="1"><thead><tr><th>Large Entity Fee Code</th><th>Large Entity Fee (\$)</th><th>Small Entity Fee Code</th><th>Small Entity Fee (\$)</th><th>Fee Description</th><th>Fee Paid</th></tr></thead><tbody><tr><td>101</td><td>710</td><td>201</td><td>355</td><td>Utility filing fee</td><td></td></tr><tr><td>106</td><td>320</td><td>206</td><td>160</td><td>Design filing fee</td><td></td></tr><tr><td>107</td><td>490</td><td>207</td><td>245</td><td>Plant filing fee</td><td></td></tr><tr><td>108</td><td>710</td><td>208</td><td>355</td><td>Reissue filing fee</td><td></td></tr><tr><td>114</td><td>150</td><td>214</td><td>75</td><td>Provisional filing fee</td><td></td></tr></tbody></table>		Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid	101	710	201	355	Utility filing fee		106	320	206	160	Design filing fee		107	490	207	245	Plant filing fee		108	710	208	355	Reissue filing fee		114	150	214	75	Provisional filing fee				SUBTOTAL (1) (\$)		-0-		2. EXTRA CLAIM FEES				<table border="1"><thead><tr><th>Total Claims</th><th>Extra Claims</th><th>Fee from Below</th><th>Fee Paid</th></tr></thead><tbody><tr><td>Independent Claims</td><td>-20**= 0</td><td>x</td><td>= 0.00</td></tr><tr><td>Multiple Dependent Claims</td><td>-3**= 0</td><td>x</td><td>= 0.00</td></tr></tbody></table>		Total Claims	Extra Claims	Fee from Below	Fee Paid	Independent Claims	-20**= 0	x	= 0.00	Multiple Dependent Claims	-3**= 0	x	= 0.00			**or number previously paid, if greater; For Reissues, see below				<table border="1"><thead><tr><th>Large Entity Fee Code</th><th>Large Entity Fee (\$)</th><th>Small Entity Fee Code</th><th>Small Entity Fee (\$)</th><th>Fee Description</th></tr></thead><tbody><tr><td>103</td><td>18</td><td>203</td><td>9</td><td>Claims in excess of 20</td></tr><tr><td>102</td><td>80</td><td>202</td><td>40</td><td>Independent claims in excess of 3</td></tr><tr><td>104</td><td>270</td><td>204</td><td>135</td><td>Multiple dependent claim, if not paid</td></tr><tr><td>109</td><td>80</td><td>209</td><td>40</td><td>**Reissue independent claims over original patent</td></tr><tr><td>110</td><td>18</td><td>210</td><td>9</td><td>**Reissue claims in excess of 20 and over original patent</td></tr></tbody></table>		Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	103	18	203	9	Claims in excess of 20	102	80	202	40	Independent claims in excess of 3	104	270	204	135	Multiple dependent claim, if not paid	109	80	209	40	**Reissue independent claims over original patent	110	18	210	9	**Reissue claims in excess of 20 and over original patent			SUBTOTAL (2) (\$)		0.00		*Reduced by Basic Filing Fee Paid		SUBTOTAL (3) (\$)				65.00	
Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid																																																																																																																																																																																																																																																																																														
105	130	205	65	Surcharge - late filing fee or oath	65.00																																																																																																																																																																																																																																																																																														
127	50	227	25	Surcharge - late provisional filing fee or cover sheet																																																																																																																																																																																																																																																																																															
139	130	139	130	Non-English specification																																																																																																																																																																																																																																																																																															
147	2,520	147	2,520	For filing a request for reexamination																																																																																																																																																																																																																																																																																															
112	920*	112	920*	Requesting publication of SIR prior to Examiner action																																																																																																																																																																																																																																																																																															
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action																																																																																																																																																																																																																																																																																															
115	110	215	55	Extension for reply within first month																																																																																																																																																																																																																																																																																															
116	390	216	195	Extension for reply within second month																																																																																																																																																																																																																																																																																															
117	890	217	445	Extension for reply within third month																																																																																																																																																																																																																																																																																															
118	1,390	218	695	Extension for reply within fourth month																																																																																																																																																																																																																																																																																															
128	1,890	228	945	Extension for reply within fifth month																																																																																																																																																																																																																																																																																															
119	310	219	155	Notice of Appeal																																																																																																																																																																																																																																																																																															
120	310	220	155	Filing a brief in support of an appeal																																																																																																																																																																																																																																																																																															
121	270	221	135	Request for oral hearing																																																																																																																																																																																																																																																																																															
138	1,510	138	1,510	Petition to institute a public use proceeding																																																																																																																																																																																																																																																																																															
140	110	240	55	Petition to revive - unavoidable																																																																																																																																																																																																																																																																																															
141	1,240	241	620	Petition to revive - unintentional																																																																																																																																																																																																																																																																																															
142	1,240	242	620	Utility issue fee (or reissue)																																																																																																																																																																																																																																																																																															
143	440	243	220	Design issue fee																																																																																																																																																																																																																																																																																															
144	600	244	300	Plant issue fee																																																																																																																																																																																																																																																																																															
122	130	122	130	Petitions to the Commissioner																																																																																																																																																																																																																																																																																															
123	50	123	50	Petitions related to provisional applications																																																																																																																																																																																																																																																																																															
126	240	126	240	Submission of information Disclosure Stmt																																																																																																																																																																																																																																																																																															
581	40	581	40	Recording each patent assignment per property (times number of properties)																																																																																																																																																																																																																																																																																															
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))																																																																																																																																																																																																																																																																																															
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))																																																																																																																																																																																																																																																																																															
2. <input checked="" type="checkbox"/> Payment Enclosed: <input checked="" type="checkbox"/> Check <input type="checkbox"/> Money Order <input type="checkbox"/> Other		Other fee (specify) _____ Other fee (specify) _____																																																																																																																																																																																																																																																																																																	
FEE CALCULATION		SubTOTAL (3) (\$)																																																																																																																																																																																																																																																																																																	
1. BASIC FILING FEE		65.00																																																																																																																																																																																																																																																																																																	
<table border="1"><thead><tr><th>Large Entity Fee Code</th><th>Large Entity Fee (\$)</th><th>Small Entity Fee Code</th><th>Small Entity Fee (\$)</th><th>Fee Description</th><th>Fee Paid</th></tr></thead><tbody><tr><td>101</td><td>710</td><td>201</td><td>355</td><td>Utility filing fee</td><td></td></tr><tr><td>106</td><td>320</td><td>206</td><td>160</td><td>Design filing fee</td><td></td></tr><tr><td>107</td><td>490</td><td>207</td><td>245</td><td>Plant filing fee</td><td></td></tr><tr><td>108</td><td>710</td><td>208</td><td>355</td><td>Reissue filing fee</td><td></td></tr><tr><td>114</td><td>150</td><td>214</td><td>75</td><td>Provisional filing fee</td><td></td></tr></tbody></table>		Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid	101	710	201	355	Utility filing fee		106	320	206	160	Design filing fee		107	490	207	245	Plant filing fee		108	710	208	355	Reissue filing fee		114	150	214	75	Provisional filing fee																																																																																																																																																																																																																																																															
Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid																																																																																																																																																																																																																																																																																														
101	710	201	355	Utility filing fee																																																																																																																																																																																																																																																																																															
106	320	206	160	Design filing fee																																																																																																																																																																																																																																																																																															
107	490	207	245	Plant filing fee																																																																																																																																																																																																																																																																																															
108	710	208	355	Reissue filing fee																																																																																																																																																																																																																																																																																															
114	150	214	75	Provisional filing fee																																																																																																																																																																																																																																																																																															
SUBTOTAL (1) (\$)		-0-																																																																																																																																																																																																																																																																																																	
2. EXTRA CLAIM FEES																																																																																																																																																																																																																																																																																																			
<table border="1"><thead><tr><th>Total Claims</th><th>Extra Claims</th><th>Fee from Below</th><th>Fee Paid</th></tr></thead><tbody><tr><td>Independent Claims</td><td>-20**= 0</td><td>x</td><td>= 0.00</td></tr><tr><td>Multiple Dependent Claims</td><td>-3**= 0</td><td>x</td><td>= 0.00</td></tr></tbody></table>		Total Claims	Extra Claims	Fee from Below	Fee Paid	Independent Claims	-20**= 0	x	= 0.00	Multiple Dependent Claims	-3**= 0	x	= 0.00																																																																																																																																																																																																																																																																																						
Total Claims	Extra Claims	Fee from Below	Fee Paid																																																																																																																																																																																																																																																																																																
Independent Claims	-20**= 0	x	= 0.00																																																																																																																																																																																																																																																																																																
Multiple Dependent Claims	-3**= 0	x	= 0.00																																																																																																																																																																																																																																																																																																
**or number previously paid, if greater; For Reissues, see below																																																																																																																																																																																																																																																																																																			
<table border="1"><thead><tr><th>Large Entity Fee Code</th><th>Large Entity Fee (\$)</th><th>Small Entity Fee Code</th><th>Small Entity Fee (\$)</th><th>Fee Description</th></tr></thead><tbody><tr><td>103</td><td>18</td><td>203</td><td>9</td><td>Claims in excess of 20</td></tr><tr><td>102</td><td>80</td><td>202</td><td>40</td><td>Independent claims in excess of 3</td></tr><tr><td>104</td><td>270</td><td>204</td><td>135</td><td>Multiple dependent claim, if not paid</td></tr><tr><td>109</td><td>80</td><td>209</td><td>40</td><td>**Reissue independent claims over original patent</td></tr><tr><td>110</td><td>18</td><td>210</td><td>9</td><td>**Reissue claims in excess of 20 and over original patent</td></tr></tbody></table>		Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	103	18	203	9	Claims in excess of 20	102	80	202	40	Independent claims in excess of 3	104	270	204	135	Multiple dependent claim, if not paid	109	80	209	40	**Reissue independent claims over original patent	110	18	210	9	**Reissue claims in excess of 20 and over original patent																																																																																																																																																																																																																																																																				
Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description																																																																																																																																																																																																																																																																																															
103	18	203	9	Claims in excess of 20																																																																																																																																																																																																																																																																																															
102	80	202	40	Independent claims in excess of 3																																																																																																																																																																																																																																																																																															
104	270	204	135	Multiple dependent claim, if not paid																																																																																																																																																																																																																																																																																															
109	80	209	40	**Reissue independent claims over original patent																																																																																																																																																																																																																																																																																															
110	18	210	9	**Reissue claims in excess of 20 and over original patent																																																																																																																																																																																																																																																																																															
SUBTOTAL (2) (\$)		0.00																																																																																																																																																																																																																																																																																																	
*Reduced by Basic Filing Fee Paid		SUBTOTAL (3) (\$)																																																																																																																																																																																																																																																																																																	
		65.00																																																																																																																																																																																																																																																																																																	

SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Kevin E. Flynn	Registration No. (Attorney/Agent)	37,325
Signature		Telephone	(919) 544 5444
		Date	November 30, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant commissioner for Patents, Washington, DC 20231.



PTO/SB/01A (10-01)
Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN
APPLICATION DATA SHEET (37 CFR 1.76)**

Title of Invention Capacity Scaling and Functional Element Redistribution Within an In-building...

As the below named inventor(s), I/we declare that:

This declaration is directed to:

- ☐ The attached application, or
☒ Application No. 09/933,323, filed on August 20, 2001
☐ as amended on _____ (if applicable);

RECEIVED
MAY 09 2002
Technology Center 2600

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/ we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

All statements made herein of my/own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

FULL NAME OF INVENTOR(S)

Inventor one: Dorothy Terry as Executor for the Estate of John Brian Terry

Signature: *Dorothy Terry* Citizen of: United Kingdom

Inventor two: Jeffrey A. Hales

Signature: *Jeffrey A. Hales* Citizen of: United States

Inventor three: _____

Signature: _____ Citizen of: _____

Inventor four: _____

Signature: _____ Citizen of: _____

☐ Additional inventors are being named on _____ additional form(s) attached hereto.

Burden Hour Statement: This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is used by the public to file (and the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 1 minute to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

RECEIVED
MAR 11 2002
OFFICE OF PETITIONS



RECEIVED
MAY 09 2002
Technology Center 2600

STATE OF GEORGIA, FORSYTH COUNTY

PROBATE COURT

I, RACHEAL C. PRUITT, Judge/Clerk of the Probate
Court of said County, same being a court of record and being the court formerly designated
the Court of Ordinary, do hereby certify that I have compared the foregoing copy of
Letters Testamentary-John Brian Terry, Estate.
Dorothy Terry-Executor.

with the original record thereof, now remaining in this office, and the same is a correct
transcript therefrom, and of the whole of such original record.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of the Probate
Court this the 16th day of August, 20 01.

Rachael C. Pruitt
Judge/Clerk, Probate Court

RECEIVED
MAR 11 2002
OFFICE OF PETITIONS

GEORGIA PROBATE COURT
STANDARD FORMSTATE OF GEORGIA
COUNTY OF _____

FORSYTH

RECEIVED

MAY 09 2002

Technology Center 2600

LETTERS TESTAMENTARY
(Relieved of Filing Returns)By Joyce W. Hawkins, Judge of the Probate Court of said County.

KNOW ALL WHOM IT MAY CONCERN:

That on the 16th day of August, 20 01, at a regular term of the Probate Court, the last Will and Testament dated Dec. 20, 1993, of John Brian Terry deceased, at the time of his death a resident of said County, was legally proven in SOLEMN form and was admitted to record by order. and it was further ordered that Dorothy Terry named as Executor(s) in said Will, be allowed to qualify, and that upon so doing, Letters Testamentary be issued to such Executor(s).

NOW, THEREFORE, the said Dorothy Terry, having taken the oath of office and complied with all the necessary prerequisites of the law, is/are legally authorized to discharge all the duties and exercise all the powers of Executor(s) under the Will of said deceased, according to the Will and the law.

Given under my hand and official seal, the 16th day of August, 20 01.

Joyce W. Hawkins
Judge of the Probate Court

NOTE: The following must be signed if the judge does not sign the original of this document:

Issued by:

Clerk, Probate Court

(Seal)
RECEIVED
MAR 11 2002
OFFICE OF PETITIONS